

LAKE COUNTY BOARD of ADJUSTMENT
April 13, 2016
Lake County Courthouse Commissioners Office (Rm 211)
Meeting Minutes

MEMBERS PRESENT: Sue Lavery, Steve Rosso, Don Patterson, Frank Mutch, Merle Parise

STAFF PRESENT: LaDana Hintz, Robert Costa, Jacob Feistner, Lita Fonda, Wally Congdon

Sue Lavery called the meeting to order at 4:05 pm. The agenda order changed due to people running late, with the Agnew Conditional Use happening first.

AGNEW CONDITIONAL USE—EAST SHORE (4:06 pm)

Jacob Feistner presented the staff report. (See attachments to minutes in the April 2016 meeting file for staff report.) He noted this process was to clean things up.

Sue asked about a letter regarding the conditional use mentioned by the applicants in the submittal. Jacob said he could get a copy for Sue. It was the approval letter from the last conditional use. The current approval would help clean things up and move things forward. The previous letter didn't relate to moving forward so he hadn't included it. Sue said she didn't need a copy. It had been confusing. They were originally approved for a house, a guesthouse and a garage.

LaDana said that if something were to happen on the property, such as a structure burn down, this would allow them to bring [it] back. If they had a mortgage, the bank would know they had the approvals. Sue noted it hadn't been looked at with that percent of coverage. LaDana said that was pretty common in that era for the review of zoning permits, conditional uses and variances. They just didn't look at impervious surface coverage. Several had been brought to the board. Back then, they didn't have the LiDAR, which now allowed the staff to look at slopes. Previously, contour maps with 20 or 40-foot contour intervals were used so it was hard to figure out the coverage amounts.

Steve confirmed with Jacob that the old cabin in the 50-foot lakeshore setback was built prior to the zoning so there wasn't an issue with a variance for that or a need for an after-the-fact variance to clean that up. LaDana said that part of the old permit [said] they couldn't expand [the cabin] and they could add another structure but [the cabin] would have to be the guest cabin. Steve asked what information allowed them to calculate the impervious surface percentage. Jacob replied he used GIS to create the map himself. He showed the map he came up with, which showed the setbacks. The red showed the slopes. LaDana mentioned the staff did these regularly to verify the information submitted in the coverage amounts.

Public comment opened: No comment offered. *Public comment closed.*

Steve R confirmed with Jacob that the owners didn't have a representative.

Motion made by Steve Rosso, and seconded by Don Patterson, to approve the two conditional use requests and findings of fact as stated by staff. Motion carried, all in favor.

MONTANA FISH WILDLIFE & PARKS PUBLIC HEARING—FINLEY POINT
(4:13 pm)

LaDana Hintz presented the staff memo for the public hearing to collect comments for the MT Fish, Wildlife and Parks (FWP) project. (See attachments to minutes in the April 2016 meeting file for staff report.) This was part of a multi-step process. They would submit a subdivision application next. They were revamping the park to get it up to modern-day standards. It wasn't much of an expansion. They would add more tent sites and a couple of cabin/yurt sites. They'd talked about those maybe being RV sites, cabins or yurts, and relocating two of the existing host sites.

Tom Reilly introduced himself as the assistant administrator of State Parks from Helena. Finley Point was an old campground from 1965. They had 16 sites that were jammed near the water for camping. The sites were too tight and too close. They proposed making those into about 10 sites and putting in another loop above that one with a like number of sites. He thought two sites would be electrified and 5 tent camping sites. Tent camping was becoming more popular and tent folks didn't necessarily want to stay on a gravel pad that an RV might have been on the night before. He mentioned 2 latrines and 2 latrine replacements to the modern ADA units. They were adding two camp hosts near the entrance. Camp hosts were a great addition and asset for managing the parks. The volunteers received a bit of a stipend. He mentioned a couple of cabin sites, yurt sites and likely a maintenance/storage shed at the entrance. The entrance would be expanded to make it safer and wider. That was about it. Part of the issue with the parks on Flathead Lake was when they purchased and developed them in the 1960's or before, people camped in tents. They've had to go back and modify to address the larger units that people were arriving with today.

Tom introduced Amy Grout who was the park manager from Flathead Lake State Park, John Maxwell who was the guy for design and construction, and the consultant who continued the introduction. BJ Grieve of WGM Group explained he would coordinate the efforts for this hearing and the subdivision review. Jon Gass from Missoula was the engineer providing project management as well. BJ had an opportunity to review the [written] public comments that had come in regarding the proposal. Those principally revolved around concerns with the adequacy of S Finley Point Road in terms of its width and ability to accommodate traffic. As part of this project, two things would be proposed with the subdivision review that might alleviate some of the concerns regarding S Finley Point Road. FWP had coordinated with Lake County regarding the road and would make a donation to the County for maintenance and repair. The donation would be substantial enough to help Lake County with that road. Secondly, the way the project was designed with a limited number of campsites, a lot of people could turn off Hwy 35 and go to the park just to find out that it was full. That was a lot of unnecessary traffic. Signage at the

intersection of S Finley Point and Hwy 35 was in the plan at this time to indicate when the park was full. He thought that would cut down on a tremendous amount of traffic on S Finley Point Road. Those two points of mitigation were critical to mention tonight to alleviate the concerns of the Hewitts and the Nevins. He invited questions.

Sue encouraged commenters to be as succinct as possible and to state their name for the record.

Public comment opened:

Don Nevin noted that he and his wife Gail neighbored the park on the southern and part of the eastern border for more than 20 years. Shortly after they closed on their property, they found out the private lot between them and the park had somehow been annexed or swapped to become park property. They were already committed and hoped for the best. They'd had issues with the park expanding right next to them. Regarding the tent camping sites, the policy hadn't been followed and people camped any place in that area, encroaching nearer and nearer [the Nevins'] property line, with more noise, congestion and an excess number of tents. Likewise, there was no fence to prevent trespass so campers inadvertently trespassed. They meant no harm but there was no boundary to know when you were on public and when you were on private [land]. If there were funds to do the expansion, he hoped there would be funds to fence that area along the southern border from his short-area fence that was intended to keep tenters from wandering over, to extend up and turn and go along the east border. None of that was fenced currently. Quite a few additional campsites would be added up at the higher benches. He thought if nothing was done, the problem they had now would be worse. They'd appreciate if [the Parks] would add that to the list of things that needed to be done. He pointed to his letter to Amy Grout. They'd had a nice conversation about his issues. The Nevins' other issue was the road, and a lot of that had been covered. The road was narrow with lots of pedestrian traffic in the summer including bicycles, kids and dogs. Two vehicles could barely get through there. Hopefully that would be taken care of. He checked with Gail N for comments she might add.

Gail Nevin wasn't sure how many [cars drove out] and came [right] back. Most people who did much camping would check their computers to see about available space before they headed down a road, so that might or might not decrease the amount of traffic. They asked the camp hosts previously about enforcing some of the campsites or rules. The hosts said they didn't have authority to enforce that.

Don Nevin said he'd talked to the camp hosts on multiple times with concerns about campers not camping in designated tent sites. That was the original plan in 1998 if you looked at the environmental assessment plan, to prohibit inadvertent expansion. People were all over the place. The hosts didn't seem anxious to enforce that or maybe even educate the campers about the restriction. They had too many people in a small space. When he complained, [the hosts] told him if he had a problem to call the sheriff, which seemed an overreaction and a misuse of the County resources for law enforcement. [If FWP] talked to the hosts so they informed the campers what the policy was, [this] would help with the Nevins' concerns.

Cheri Browne said she and her husband Larry were on the other side of the park. They had similar problems with people encroaching on the beach. They had private property signs up but it didn't stop people. If they questioned people, the people said it was part of the park. It was not. The Brownes also felt they needed a fence or some sort of boundary. She had the same conversations with the camp hosts, where the camp hosts said they didn't have the authority to kick people off the property. With the expansion, her concern was what they would do with more campsites. It looked like the camp hosts would be very close to the property line. With the new tent spots, she wasn't sure where they would be. She would like more information on that.

Holly Wuhr said she was happy to hear that they'd looked at the road condition and the impact of the traffic. She didn't about the park; she lived on S Finley Point Road. Her concern was the lack of overflow parking. The park was great and was used a lot. There was limited access to the park. A lot of people used it for day use or weekend use. The vehicle and/or boat trailer parking needs weren't really part of the expansion although [the expansion] might increase the vehicles as well. There was no overflow parking. Across from the entrance, the land sitting there was evidently owned by the state park as well. It would be nice if that was a viable option for some of this overflow parking that sometimes was so cluttered it turned Finley Point Road into a one-way road for half of a mile on either side of the parking entrance. The people had no option, [if they were] to enjoy using the facilities of the park and be able to leave a vehicle. If there were extra money, she asked that this be considered as a real need.

Bill Barron, Lake County Commissioner, said he'd had some public meetings out there regarding Finley Point Road. There wasn't a consensus as to what should be done. Part wanted it left the way it was with the potholes. Part wanted it wider with a walking path. Part wanted it chip-sealed with nothing else done. It would be hard to arrive at a consensus. At most, they had a 40-foot right of way. It would be really difficult to build a road to state standards. It would have to be County standards. Widening the road probably wouldn't happen. They would be able to clean up some ditches, do some culverts and things like that, and grind the surface and put a double-shot of chip-seal on it. That would take out the potholes and so forth but you'd still end up with about a 22-foot road. They talked with the state and there was a commitment for funding. They would meet with the Tribe in the next week and talk about this issue. There was Tribal land along there. The hope was that they would be willing to participate in this. The previous Councils were willing to do that. They hadn't met with this Council about this. It would be a minimum of \$350,000 just to do the South Finley Point side and [inaudible] \$450,000. It was approximately 4 miles. The loop was 7 miles. Frank asked how much the state would pay. Bill replied that wasn't determined as of yet. He thought it would be over \$50,000 to \$75,000. Frank checked that traffic counts had been done. Bill said they had. There were about 20,000 cars [inaudible], in the summer.

Frank Mutch said, as public comment, that he thought there was more than one nonconforming use. It was a campground, a marina and had rentals. As he understood it,

none of those were allowed in the zoning. His view was that the government should comply with its own regulations that were piled upon the private sector.

Sue Laverty commented she'd only gone down there a few times. She felt the camp hosts were around a lot. She'd only been there a few times, unlike the homeowners that lived there and might complain to them and get no action. [The camp hosts] seemed to be right on top of it when she was there. It was a nice area and a really small area. If you just went down there for the day, you drove all the way down there to find out there was no parking. She liked the idea of at least having a sign up to let people know if it was full or not full.

Tom R commented on the road money and how their money worked with the County's. They, as FWP, didn't work on county roads. They worked with the respective County Commission for a greater or larger project to which they would contribute. [The project] was under the county's direction and control.

Amy Grout addressed some issues and concerns about the hosts and fencing. When they wrote their decision notice following the environmental assessment, for which they gathered public comment, the fencing came up. They said they would put up 3-strand smooth wire fence. This was typical for what they did. It allowed animals to pass through. They were doing that on both boundaries. They would go in this summer before the project and try to increase the boundary signage so people would know when they crossed private lands, since she knew a lot of those had been torn down. Regarding the hosts, they were volunteers and were asked not to put themselves in dangerous situations with people who might be drinking and belligerent. They did have a park warden on staff this summer that could help address some of those issues. Amy wasn't an armed officer and so they didn't go into situations that might be tenuous with folks who were being loud at night. They did work with the hosts to try to ensure that the campers were following the regulations. They would continue to do that and try to get better at that.

Don N asked about the protocol to follow if there was an issue. Should he wake up the camp host and have them call the warden if something was going on that wasn't right or should he call the warden directly? Amy said the warden wasn't fully commissioned last year when they were down two wardens. This year, he was ready to go. She would get his number to Don N, who could call him directly.

Steve asked about the tent locations that were being used. Were there regulations? Were they posted to encourage people to use specific locations for their tent setups? Was there a limit on how many tents could be set on one site, and so forth? Amy said there were. Tent pads were on every site. There wasn't a sign saying they had to put their tent on the tent pad. Steve asked if there should be. Amy said perhaps. They tried not to get in the habit of putting up a sign for everything. It was something they could look at. There was a balance between having enough signage in the right places and having too much signage where you couldn't see the view for the signs. There were maximum numbers of tents, which had fluxuated in what was allowed. She believed it was changing again in

their ARM rule down to 2 tents per campsite. It had been 1 primary unit, which would be a tent or motorhome or van, and 2 additional tents. They didn't necessarily agree with that and not all of their sites were equipped to handle that but they were trying to keep it the same across the state. That was the balance they did. She would need to double-check the new rule, which was just going through their parks and recreation board.

Steve checked that when he paid a fee at a park, there was a card or something to set on the dashboard of the car to show he'd paid his fee. The card contained some rules and regulations. Could this be added? Amy didn't know if their capacity was listed on the envelopes. She believed it was listed at the kiosks where you entered the park, where you would stop and pay, and also on the site markers. Steve thought maybe the rule about using the tent pad or being within a certain distance of it could be added to that if it weren't there already. Amy noted that they had to go through a lengthy process to create a rule. They could certainly do some signage to encourage people to do that, and make a clear boundary so it was delineated. There was an issue, which Don N had talked about, where people would go to a different spot where there was no vegetation and people would continue to use that. They were working on creating a delineated boundary, where someone must be within this spot, which would include the tent pad area and not those other areas where people had been expanding out. Steve compared it to good neighbor development and having setbacks. He thought a setback would be an important kind of things between a state park and private property. Amy agreed.

Amy had also talked with Don N about doing some vegetative buffers between the tent pads and his property. Even if people weren't being overly loud, sound could travel without a vegetative boundary in there. They were incorporating some vegetative boundaries into this project, maybe some mock orange or serviceberry that could get bushy in the summer and create some visual as well as sound barrier to the property. They would do that adjacent to the Browne property as well to help mitigate some of the visual and sound. Steve remarked that wild roses once were good for that. Amy remarked those worked really well to keep people in their campsites.

Merle observed that RV's were increasing in size and getting heavier, which was what tore up the road. They'd talked about putting up a sign to say when [the park] was full. Was there a way to minimize the damage to the road by limiting the size of the RV or vehicle that was allowed in this particular state park? Tom thought that would be pretty tough. It would probably be a county thing since it would be on a county road. He thought it would be tough to enforce.

Sue noted some areas had sites that were only so big. The newer motorhomes, which were slimmer, would fit while an old 1970 5th wheel wouldn't. Merle clarified he was speaking of the big modern diesel-pushers that were monsters.

Bill said the County did this on roads per square inch of tire. He described details. With the new trailers, they were comparatively foot-per-foot much lighter than the old ones. Merle asked about the big coaches. Bill said he wasn't looking in that price range.

Gail N asked if the sites would be bigger than the recreational vehicles. Frank thought there were parks, possibly national, that had a limitation on the length of RV's because of the size of the sites. Could they do that?

Tom said they didn't build [sites] to accommodate the biggest in the world. They accommodated what was reasonable. He didn't have the dimensions with him at the moment. If you went into a reservation program, you'd see the lengths listed that a site would accommodate to prevent people from getting somewhere with a giant and finding out, for instance that the site was 40 feet and they needed 83 feet. They tried to set everybody up with the information at the start so they wouldn't get there and end up parking in the grass and halfway out in the road. They were in the design process right now for these sites. The topography would dictate the length for some sites. He couldn't give them a definitive answer right now as to how many new ones would be what length. He knew they would be bigger than they were in 1962 when people camped with pickups, station wagons and tents.

Sue thought that wrapped up the hearing. Tom requested that if people had comments or questions, to please get in touch with him or Amy. If there were issues, let this be the end of it. They wanted to be good neighbors.

HEFFERNAN MONTANA TRUST CONDITIONAL USE—FINLEY POINT (4:47 pm)

Jacob Feistner introduced Stephanie Reynolds of 48 North Engineering and Paul Walhood, the general contractor of the project. He presented the staff report. (See attachments to minutes in the April 2016 meeting file for staff report.)

Steve mentioned if the road was an inch wider by mistake, they might be over the 20,000 square feet. Jacob agreed it was pretty close. Steve observed part of the road was on a different lot and checked if that portion of the road wouldn't come into the footage calculation but the whole thing would be paved. The landscape drawing from Delaney's showed a driveway with another parking area by what appeared to be the guest house, which wasn't shown on the other site plan. Paul agreed. That was the existing one that was there [inaudible]. It wasn't on there now. Steve asked if it wasn't getting paved or if it didn't exist at all. Paul clarified that it didn't exist at all. Sue referred to the one on the Delaney's plan and Paul said yes. Steve asked where the guests [parked]. Paul described a little driveway that pulled up to that guest house. Stephanie said access to the guest house would be gravel. Jacob referred to attachment 3, which showed the main driveway. That was the only [inaudible] that was paved.

Sue asked why they didn't propose paving at the time the rest was developed. Paul explained the management on the property changed. They'd had a significant amount of erosion on the road and it had become an issue at this point. He asked Stephanie to engineer something to take care of this. This seemed the best possible route. He referred to rock structures above these that Jake mentioned. Erosion was constantly happening underneath them and it would fail at some point. Stephanie said one of the reasons for

adding the pavement was to make sure the valley gutter that they're proposing along the base of the wall [inaudible].

Stephanie added they accounted for the stormwater runoff that needed to be done both in the upper and lower portions of the driveway. As Jake said, part of that flow would flow over land and the other part would be infiltrated into the ground and sufficient BMP's (best management practices) would be [implemented] during construction, before and after to make sure everything got stable.

Public comment opened:

Cheryl Brown said she wanted to make sure the driveway wasn't going to force the water onto their side. Paul said they had a containment section on their side as well, and the road would be rolling around that corner and bringing the water back towards the Heffernan property toward that main drain. Cheryl pointed out her basement was a little lower than the driveway. Stephanie said the runoff coming from the road had been captured in the features that they proposed.

Public comment closed.

Steve thought a compacted gravel driveway wasn't much more pervious than a paved driveway. The reason they got erosion was it ran off that compacted gravel driveway. The paved driveway came with stormwater management controls, which was a real benefit. They were up against the fixed limit of the 20,000 but the percentage on the whole lot was very low, probably something like 5 or 6 percent for impervious surface.

Motion made by Steve Rosso, and seconded by Sue Lavery, to approve the conditional use with findings of fact and the conditions in the staff report. Motion carried, all in favor.

RIGGS VARIANCE & CONDITIONAL USE—FINLEY POINT (4:59 pm)

Robert Costa introduced Charles and Jean Rigg (owners) and Brad Reedstrom with Bigfork Builders (agent). He presented the staff report. (See attachments to minutes in the April 2016 meeting file for staff report.)

Sue checked that the concrete patio would be 8 feet from the property line and the deck would be 4 feet from the property line. Robert confirmed. The patio underneath was not as wide as the deck. He referred to attachment 3. If you looked at the extent where the paint ended in the upper left hand corner and compared the orange in attachment 4, the orange actually wrapped around that corner. That was where the difference was. Sue said that was also the concrete walkway.

Frank checked that what was there now had been done prior to zoning. Robert thought there might have been a few repairs. A lot of it was prior to zoning. Frank thought it was done roughly in 1970. Steve brought up the comment that this was replacing the existing decking and the existing patio without enlarging either one. He checked that the walkway existed now. Robert said the walkway was the one expansion. Right now it

was a very simple little stone pathway that went around. They were changing the [location of the] path and the width a little bit. Steve looked at the path by the NW boundary, where it almost touched the boundary line. Right now, there wasn't a permanent structure that was that close to the property line. Brad said a flagstone sidewalk was there right now. It was flagstone set in concrete. Robert said it was minimal. Steve said the width was about the same width as the one proposed, so they wouldn't be coming any closer to the property line than they did now.

Frank said a lot of this was maintenance. Why did this become an issue here? Sue said they were tearing it all out. Robert explained that Frank was right in the sense that this was a maintenance project but the regulatory definition of maintenance would be to replace a board or two. They wanted to strip it all down and build it back again. Merle noted it didn't really change the footprint. Robert agreed. Frank thought he'd like to read the maintenance stuff.

Brad Reedstrom spoke as the agent for the project. The existing deck was beyond its life and needed to be replaced. The existing patio underneath had seen significant damage from tree roots growth, upheaves and water. This was a case of taking what existed and replacing it with new construction and new techniques, and doing it better but not expanding it. The Riggs were committed to doing this project correctly. They hired an engineer to analyze the existing septic system. They submitted a plan to Environmental Health for a new septic system. It would be a considerable cost but the Riggs wanted to make sure they did the project correctly. Merle asked about the existing system. Brad said that was installed with the new residence in the early 1970's. He described it. Merle summarized that it was a regular drainfield type of system. Brad said they proposed a new system of a sand mound with level 2. It was the best type of system that they could do given the conditions of the site, which was mostly bedrock.

Robert asked if the garage had living quarters or was connected to the septic tank. [Chuck] said there were living quarters in the garage and it was connected to the septic. Robert noted the current septic approval didn't account for that. Brad said they actually did account for that bedroom. The existing home was 3-bedroom. They were also remodeling the house. On the upper level, there were 2 current bedrooms. The new plan, which was the one submitted, turned those two bedrooms into one on the upper floor, so the house would go from a 3-bedroom house to a 2-bedroom house. Counting the living quarters in the garage, there would be 3 bedrooms on the septic system, and that was what was submitted to Environmental Health. Robert thanked him for the information.

Chuck Rigg said this was built in the early 1970's. He thought it conformed then but didn't now. It had been there over 40 years. They felt it had to be fixed up. They were willing to spend to make it better.

Steve asked if the [lakeshore] buffer was being improved and what was happening with the stormwater. Robert replied they hadn't proposed to improve the buffer. Nothing was proposed for stormwater. The worry in bringing that up was it seemed the things that they could do to mitigate for the impacts and address impacts to the lake, with the nearest

distance being 33 feet to the lake and with the side setback being really close to the lake (on the order of 60 or 70 feet), it was just good to try to meet that as best as possible. Steve checked that Robert hadn't seen a stormwater plan but it was in as a condition. Robert said that was the staff recommendation. Brad added that when they met with the engineering firm to design the new proposed septic, they looked at stormwater management with the engineering firm and discussed that plan. They were prepared to have that engineered, completed and submitted to the County if needed. Steve said one challenge here but something that they usually required was that the discharge from the stormwater occurred outside the 50-foot [lakeshore] buffer. With so much of the impervious surface inside the 50-foot buffer, that would be a challenge. He didn't know if they could do that or not. The engineers would try to figure out how to discharge that stormwater outside of that 50-foot buffer area.

Steve mentioned the trees that were being taken out close to the house and under the existing patio. He didn't know how much moisture they actually took up. Brad commented the trees had caused a lot of the damage to the lower [inaudible]. Steve asked about the current condition of the vegetative buffer by the shoreline, surmising there weren't many plants or bushes. Chuck said grass that grew on its own, some small trees and a dead tree on the point were out there. Steve thought it would be interesting if a landscaper could look at it and give them ideas. The idea was as runoff moved towards the lake, plants could use the nutrients out of the water before the runoff got to the lake so the nutrient wouldn't grow algae in the lake. Having a few plants was great. Chuck estimated that there were 20 to 25 small trees there now, grass, knick knick and that kind of stuff.

Public comment opened: None offered. Public comment closed.

Motion made by Frank Mutch, and seconded by Don Patterson, for approval of the 3 variances and the conditional use as in the staff report, subject to the findings, terms and conditions as in the staff report.

Steve offered suggestions for the findings. On pg. 19 in the second paragraph of the italicized paragraph, it currently said no changes were proposed to the existing vegetation within the buffer. Instead, they could say something like there would be some trees removed but it wouldn't affect the other existing vegetation located within the buffer, for a better finding of fact. On pg. 20 in the middle of paragraph d, it said the proposed modification would not result in increased impact to Flathead Lake, its vegetative buffer or adjacent.... Maybe they should say even though some trees would be removed, the proposed modifications would not result in increased impacts. Merle and Sue thought it was a good comment. Frank suggested just putting the word 'significant' in both places. Steve pointed to the issue of deciding what was significant. They had the same problem with condition #10. He asked if the trees [to be removed] were inside the buffer. Were they on the NE side of the building, facing the lake? [Brad] described the location of one of the trees on the NE. Steve referred to attachment 6, which had a dashed/dotted line to show the 50-foot setback. He confirmed with the applicants that it was within it. LaDana referenced photo #1 on pg. 2.

Steve returned to condition #10 and the part that said no vegetation shall be removed within 50 feet of the high water mark of Flathead Lake. He suggested they make a comment in that condition along the lines that although there would be some trees removed, it wouldn't make a significant impact. Sue suggested saying with the exception of the trees that were now growing in the deck. LaDana suggested that minimal vegetation removal be allowed. Frank pointed to where it said 'subject to prior approval'. It could be handled that way, with each removal approved. LaDana suggested saying no more vegetation removal beyond what is currently being proposed. Steve thought that would be clean.

Amended motion made by Frank Mutch, and seconded by Don Patterson, for approval of the 3 variances and the conditional use as in the staff report, subject to the findings, terms and conditions as in the staff report and to include the changes discussed to pg. 19, pg. 20 and condition #10. Motion carried, all in favor.

OTHER BUSINESS

Items had been received for the May meeting.

Sue Lavery, chair, adjourned the meeting at 5:26 pm.